GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services – Allegation of Disproportionate Assets against Sri D. Radha Krishna Murthy, DR&T Assistant, Higher Education Department – Convicted by the Hon'ble Principal Special Judge for SPE & ACB Cases, Hyderabad on 28.10.2024 in C.C. No.13/2011 – Dismissal from service – Orders – Issued.

GENERAL ADMINISTRATION (SU.II) DEPARTMENT

G.O. Ms. No.55 Dated:27.05.2025

Read the following:

1. From the Director General, Anti-Corruption Bureau, Letter Cr. No. 12/ACB-CIU-HYD/2009, dt. 23.04.2009.
2. From the Director General, Anti-Corruption Bureau, AP, Hyderabad Rc. No. 86/RCT-CIU/2009, dt. 30.04.2009
3. G.O.Rt. No. 2355, General Administration (SC.D) Department,dt.15.05.2009
4. From the DG, ACB, AP, Hyderabad letter Rc. No. 86/RCT-CIU/2009, dt.14.09.2009
5. G.O.Rt. No. 5361, General Administration (SC.D) Department, dt.09.11.2009
6. G.O.Rt. No. 584, General Administration (SC.D) Department, dt.20.11.2009.
7. From the Director General, Anti-Corruption Bureau, AP, Hyderabad letter Rc. No. 86/RCT-CIU/2009, dt. 29.12.2009
8. G.O.Rt. No. 2213, General Administration (SC.D) Department,dt.07.05.2010.
9. G.O.Rt. No. 5607, General Administration (SC.D) Department,dt.18.11.2010.
10. G.O.Rt. No. 2495, General Administration (SC.D) Department,dt.03.06.2013.
11. From Department of Personnel & Training, GoI, Order No. 13(5)(a)/2015, dt. 24.02.2016.
12. O.O.Rt. No. 362, General Administration (SU-II) Department, dt.29.02.2016.
13. O.O.Rt. No. 60,Higher Education(OP) Department, dt. 29.02.2016.
14. Judgement dt. 28.01.2016 of Hon'ble Principal Special Judge for SPE & ACB Cases, Hyderabad in CC.No.1/2010.
15. From Higher Education (OP) Dept., U.O.Note.No.1213257/OP/A1/ 2021, dt:13.07.2021.
16. From D. Radha Krishna Murthy, DR&T Asst., Leave Application, dt.02.02.2022
17. U.O.Note No. GAD01-SU0DRTA/1/2022-SU-II, GA(SU-II) Dept., dt. 09.02.2022.
18. U.O. Note No. 1948308/A1/SU-II/2023-4, GA(SU-II) Dept., dt.31.07.2024.
19. Judgement dt. 28.10.2024 of Hon'ble Principal Special Judge for SPE &ACB Cases, Hyderabad in C.C. No.13/2011
20. From DG, ACB, Telangana State, Hyderabad, Lr. Rc.No.143/RCA-CIU/2009-S16, dt.06.11.2024.
21. G.O. Rt. No 38, General Administration (SC-D) Department, dt. 07.01.2025
22. Govt. Memo No. 1213257/OP/2021-2, Higher Education (OP) Department, dt.25.02.2025.

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Whereas, it was brought to the notice of the Government by the appropriate authority i.e., the Director General, ACB, AP., in his letter vide reference 1st read above, that a case was registered against Sri.D.Radha Krishna Murthy, D.R&T Assistant by the ACB officials on the allegations that the accused posed as ACB officials and demanded an amount of Rs.70,000/- for disposing of a petition of the complainant. This case was registered as Crime No.11/ ACB.CIU.HYD/2009 by the ACB Officials and the same was communicated by them.

2. As part of investigation in the above mentioned crime, the house of the accused was searched on 23-04-2009, and it revealed that the accused during his tenure as Government servant acquired huge assets in his name and in the name of his family members. Hence, a Disproportionate Assets (DA) case was also registered against Sri D. Radha Krishna Murthy, D.R&T Assistant. This case was registered as Crime No. 20/ACB.CIU/2009 by the ACB Officials. Therefore, two ACB cases i.e., (i) Trap case and (ii) DA case which are interlinked have been registered against Sri D. Radha Krishna Murthy, D.R&T Assistant. The above two cases were registered by the ACB while he was working in APVC in the erstwhile State of AP.

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3. And whereas, the Director General, Anti-Corruption Bureau, AP in his letter reference 2nd read above, while forwarding the copies of FIR along with the preliminary report has requested to take necessary action.

4. And whereas, Government have issued orders placing the services of Sri D. Radha Krishna Murthy DR&T Asst., under suspension w.e.f. 24-04-2009 as per Rule (8) of Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 in a criminal offense which is under investigation / inquiry/trail in G.O 3rd read above.

5. And whereas, the Director General, Anti-Corruption Bureau, AP, Hyderabad in his letter 4th read above has furnished the Final Report to the Government. Based on the Final Report, Government have issued departmental proceedings under Rule 20 of Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 and framed Article of Charges against Sri D. Radha Krishna Murthy in G.O. 5th read above.

6. And whereas, Government in the G.O. 6th read above, have accorded sanction to the Director General, ACB, Hyderabad to prosecute the Accused Officer in the Court of Law in the above two cases. Based on the Prosecution orders issued, the DG, ACB, in the letter reference 7th read above, has filed Charge Sheet against D. Radha Krishna Murthy.

7. And whereas, Government in G.O. 8th read above, have continued the suspension of Sri D. Radha Krishna Murthy, DR&T Asst. & subsequently, in the G.O 9th read above, Sri D Radha Krishna Murthy, DR&T Asst, was reinstated into service after reviewing the suspension.

8. And whereas, Government in the G.O. 10th read above have also appointed an Inquiry Authority in respect of violating Rule (9) (7) of the AP Civil Services (Conduct) Rules, 1964.

9. And whereas, after bifurcation of the State, Sri D Radha Krishna Murthy, DR&T Asst., was allotted to Andhra Pradesh in the reference 11th read above & in the reference 12th read above, he was posted to the Higher Education Department & in the reference 13th read above, admitted to duty in the Higher Education Department.

10. And whereas, the Hon'ble Principal Special Judge for SPE & ACB Cases Hyderabad in the reference 14th read above, pronounced judgment on 28-01-2016 in CC. No.1/2010 acquitting to the Accused Officer Sri. D. Radha Krishna Murthy, D.R&T Assistant as follows:-

> "the accused officer Nos. 1 and 2 found not guilty for the offences under sections 7 and 13(1)(d) /w see. 15 of the Prevention of Corruption Act, 1988 and under section 419 of IPC and, accordingly, the accused officer nos. 1 and 2 are acquitted under section 248(1) Cr.P.C for the offences under sections 7 and 13((1)(d) r/w sec. 13(5) of the Prevention of Corruption Act, 1988 and under section 419 of IPC. The bail bonds of the accused officer nos. 1 and 2 and their sureties shall stand cancelled in terms of section 437(A) of Cr.P.C.MO 1, Nokia Cell phone and MO 2. Sony Ericsson cell phone shall be returned to the accused officer nos. l and 2 respectively under proper identification and on proper acknowledgment under section 452 Cr.P.C after the appeal time is over. Regarding the other property received in CPR No.10/2011 Le. gold items mentioned at Sl.Nos. l to 14 and silver item mentioned at SLNo.15 in form no.66 shall be transferred to the assets case filed against the accused officer no. I herein in CC No. 13 of 2011 on the file of this court."

11. And whereas, the Government have issued orders dropping further action against Sri.D.Radha Krishna Murthy, D.R&T Assistant in the reference 21st read above.

12. And whereas, while the above issues stood thus, Sri D. Radha Krishna Murthy, DR&T Assistant, in the year 2021 has applied for EOL from 03-02-2021 on private affairs, for which the Higher Education Department in the reference 15th read above, have surrendered the services of Sri D. Radha Krishna Murthy, DR&T Asst., to the Genl. Admin.(Single Unit) Department. Further, Sri D. Radha Krishna Murthy, DR&T Asst., in the reference 16th read above has submitted the application for sanction of leave from 03-02-2022 to 29-04-2022 and the same was sent to the Higher Education Department in the reference 17th read above.

13. And whereas, with reference to the dis-proportionate assets case, now, the Hon'ble Principal Special Judge for SPE & ACB Cases, Hyderabad, in the reference 19th read above, has pronounced judgment on 28-10-2024 in CC No.13/2011 as follows:-

> "In the result, this court finds the accused guilty for the offence under Section 13(1) (e) r/w 13(2) of the Prevention of Corruption Act, 1988 and accordingly he is convicted under Section 248(2) of Cr.P.C. The accused is sentenced to undergo Rigorous Imprisonment for a period of Three Years and also directed to pay a fine of Rs.50,000/- (Rupees fifty thousand only) for the offence under Section 13(1)(e) r/w 13(2) of the Prevention of Corruption Act, 1988 and in default of payment of fine he shall suffer simple imprisonment for a period of Six months. The remand period already undergone by accused (ie., from 17.06.2009 to 09.07.2009) shall be set off under Section 428 of Cr.P.C. As regards possessing of Assets is concerned, since the accused is found in possession of Disproportionate Assets to a tune of Rs.14,22,026/-, out of the Assets, Item Nos.1, 6, 7 and 4 are directed to be confiscated to the State, as provided under Section 452 of Cr.P.C. read with Section 13(3) of the Criminal Law Amendment Ordinance, 1944, after appeal time. The attachment of the remaining Items of Assets, is raised, after appeal time. The unmarked made up files which were seized from the house of accused, if any, shall be returned to him, after appeal time. The accused is informed that he has got a right to file appeal against this Judgment before the Hon'ble High Court and he stated that he has means to engage Advocate for filing appeal".

14. And whereas, the DG, ACB, Telangana in his letter reference 20th read above, has informed that, in view of the above judgment, the accused Sri D. Radha Krishna Murthy, D.R&T Assistant has to be dismissed from his service as per rules in force and requested to take necessary action.

15. And whereas, on consideration of facts and circumstances of the case, Government have decided that the major penalty of Dismissal from Government service shall be imposed on Sri D. Radha Krishna Murthy, DR&T Asst., then APVC, presently working in Higher Education Department, A.P. Secretariat, Velagapudi, Guntur district in terms of G.O. Ms.No.2, G.A (Services. C) Dept., dated 04-01-1999 read with G.O.Ms.No.458, G.A (Services. C) Dept., dated 22-09-2009,which stipulates "provided that in all proved cases of misappropriation, bribery, bigamy, corruption, moral turpitude, forgery and outraging the modesty of women, the penalty of dismissal from service shall be imposed, with immediate effect."

16. Now, therefore, in exercise of the powers conferred under clause (x) of Rule 25 (i) of Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 and G.O.Ms.No.2, G.A (Services.C) Department, dated 04-01-1999 read with G.O.Ms.No.458, G.A (Services.C) Dept., dated 22-9-2009, Government hereby dismiss Sri D. Radha Krishna Murthy, DR&T Asst., the then APVC, presently working in Higher Education Department, A.P. Secretariat, Velagapudi, Guntur district from Government service with immediate effect, in view of the conviction of the Accused Officer vide the judgment dated 28-10-2024 in CC No.13/2011 pronounced by the Hon'ble Principal Special Judge for SPE & ACB Cases, Hyderabad.

17. The Secretary to Government, Higher Education Department, shall take further necessary action accordingly and furnish the compliance report immediately.

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18. The following notification shall be published in the extraordinary issue of the Andhra Pradesh Gazette, dated. 27.05.2025.

NOTIFICATION

In exercise of the powers conferred under clause (x) of Rule 9 read with clause (i) of Rule 25 of the Andhra Pradesh Civil Services (Classification, control & Appeal) Rules, 1991 and G.O. Ms.No.2, General Administration (Services.C) Department, dated 04-01-1999 read with G.O.Ms.No.458, G.A (Services.C) Dept., dated 22-09-2009, the Government of Andhra Pradesh hereby dismiss Sri D. Radha Krishna Murthy, DR&T Asst., then APVC, presently working in the Higher Education Department, A.P. Secretariat, Velagapudi, Guntur district from Government service with immediate effect in view of the conviction of the accused officer, vide the judgment dated 28-10-2024 in CC No.13/2011, pronounced by the Hon'ble Principal Special Judge for SPE & ACB Cases, Hyderabad.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

SHAMSHER SINGH RAWAT
SPECIAL CHIEF SECRETARY TO GOVERNMENT (SER. & HRM)

To
Sri D. Radha Krishna Murthy, DR&T Asst., the then APVC, presently working in Higher Education Department, A.P. Secretariat, Velagapudi, Guntur district through Higher Education (OP) Dept.

The Secretary to Government, Higher Education Dept., (with a request to serve the G.O on the individual and send the served copy with dated signature to this Department for record)

The Commissioner of Printing, Stationery & Stores Purchase, Vijayawada (with a request to publish the G.O in the extraordinary Gazette and furnish 10 copies to Government and the Secretary to Government, Higher Education Dept.

Copy to
The General Administration (SC-D) Department, A.P. Secretariat.
The Director General, Anti-corruption Bureau, A.P., Vijayawada.
The Secretary to Vigilance Commissioner, APVC, Velagapudi.
The Director General, Anti-corruption Bureau, Telangana State.
The Secretary to Vigilance Commissioner, Telangana Vigilance Commission, Telangana State.
The Director of Treasuries & Accounts, A.P., Vijayawada.
Sf/Sc

// FORWARDED :: BY ORDER//

SECTION OFFICER